

#5

Attorney Docket No.: 018781-007410US  
 Client Reference No.: T01-025-1 US

## DECLARATION



As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **NOVEL RECEPTORS** the specification of which \_\_\_\_\_ is attached hereto or X was filed on November 21, 2001 as Application No. 09/990,940 and was amended on \_\_\_\_\_ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

## Prior Foreign Application(s)

| Country | Application No. | Date of Filing | Priority Claimed Under<br>35 USC 119 |
|---------|-----------------|----------------|--------------------------------------|
|         |                 |                |                                      |

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

| Application No. | Filing Date |
|-----------------|-------------|
| 60/252,841      | 11/22/00    |
| 60/261,377      | 1/12/01     |
| 60/280,696      | 3/29/01     |
| 60/257,636      | 12/22/00    |
| 60/279,554      | 3/28/01     |
|                 |             |

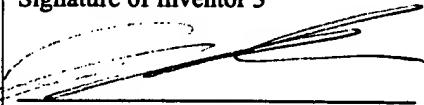
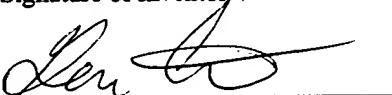
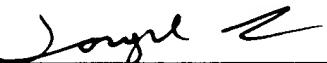
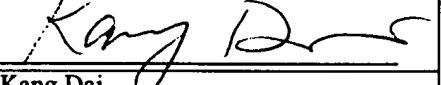
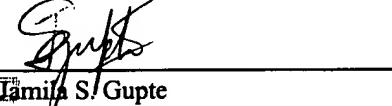
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I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| Application No. | Date of Filing | Status |
|-----------------|----------------|--------|
|                 |                |        |

|                          |  |   |   |                              |
|--------------------------|--|---|---|------------------------------|
| Full Name of Inventor 1: | Last Name:<br><b>TIAN</b>  | First Name:<br><b>HUI</b>                   | Middle Name or Initial:                         |                              |
| Residence & Citizenship: | City:<br><b>Foster City</b>                                      | State/Foreign Country:<br><b>California</b> | Country of Citizenship:<br><b>United States</b> |                              |
| Post Office Address:     | Post Office Address:<br><b>1179 Foster City Blvd. Apt. No. 2</b> | City:<br><b>Foster City</b>                 | State/Country:<br><b>California</b>             | Postal Code:<br><b>94404</b> |
| Full Name of Inventor 2: | Last Name:<br><b>ZHAO</b>  | First Name:<br><b>JIAGANG</b>               | Middle Name or Initial:                         |                              |
| Residence & Citizenship: | City:<br><b>San Diego</b>  | State/Foreign Country:<br><b>California</b> | Country of Citizenship:<br><b>United States</b> |                              |
| Post Office Address:     | Post Office Address:<br><b>4860 Caminito Exquisito</b>           | City:<br><b>San Diego</b>                   | State/Country:<br><b>California</b>             | Postal Code:<br><b>92130</b> |
| Full Name of Inventor 3: | Last Name:<br><b>CHEN</b>  | First Name:<br><b>JIN-LONG</b>              | Middle Name or Initial:                         |                              |
| Residence & Citizenship: | City:<br><b>Foster City</b>                                      | State/Foreign Country:<br><b>California</b> | Country of Citizenship:<br><b>United States</b> |                              |
| Post Office Address:     | Post Office Address:<br><b>101 Challenge Ct.</b>                 | City:<br><b>Foster City</b>                 | State/Country:<br><b>California</b>             | Postal Code:<br><b>94404</b> |
| Full Name of Inventor 4: | Last Name:<br><b>CUTLER</b>                                      | First Name:<br><b>GENE</b>                  | Middle Name or Initial:                         |                              |
| Residence & Citizenship: | City:<br><b>San Francisco</b>                                    | State/Foreign Country:<br><b>California</b> | Country of Citizenship:<br><b>United States</b> |                              |
| Post Office Address:     | Post Office Address:<br><b>2470 -44th Avenue</b>                 | City:<br><b>San Francisco</b>               | State/Country:<br><b>California</b>             | Postal Code:<br><b>94116</b> |
| Full Name of Inventor 5: | Last Name:<br><b>AN</b>  | First Name:<br><b>SONGZHU</b>               | Middle Name or Initial:                         |                              |
| Residence & Citizenship: | City:<br><b>San Francisco</b>                                    | State/Foreign Country:<br><b>California</b> | Country of Citizenship:<br><b>United States</b> |                              |
| Post Office Address:     | Post Office Address:<br><b>478 Warren Drive, Apt. 410</b>        | City:<br><b>San Francisco</b>               | State/Country:<br><b>California</b>             | Postal Code:<br>             |
| Full Name of Inventor 6: | Last Name:<br><b>DAI</b>   | First Name:<br><b>KANG</b>                  | Middle Name or Initial:                         |                              |
| Residence & Citizenship: | City:<br><b>Albany</b>   | State/Foreign Country:<br><b>California</b> | Country of Citizenship:<br><b>United States</b> |                              |
| Post Office Address:     | Post Office Address:<br><b>535 Pierce Street, Apt. 1117</b>      | City:<br><b>Albany</b>                      | State/Country:<br><b>California</b>             | Postal Code:<br><b>94706</b> |
| Full Name of Inventor 7: | Last Name:<br><b>GUPTE</b>                                       | First Name:<br><b>JAMILA</b>                | Middle Name or Initial:<br><b>S.</b>            |                              |
| Residence & Citizenship: | City:<br><b>San Mateo</b>  | State/Foreign Country:<br><b>California</b> | Country of Citizenship:<br><b>United States</b> |                              |
| Post Office Address:     | Post Office Address:<br><b>2205 BridgePointe Parkway, #103</b>   | City:<br><b>San Mateo</b>                   | State/Country:<br><b>California</b>             | Postal Code:<br><b>94404</b> |

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

|  |   |  |
|--|---|--|
| Signature of Inventor 1<br><br>Hui Tian       | Signature of Inventor 2<br><br>Jia Gang Zhao | Signature of Inventor 3<br><br>Jin-Long Chen |
| Date 1/15/02   | Date 1/16/02  | Date 1/15/02   |
| Signature of Inventor 4<br><br>Gene Cutler     | Signature of Inventor 5<br><br>Songzhu An    | Signature of Inventor 6<br><br>Kang Dai      |
| Date 1/16/02   | Date 1-17-02  | Date 1-18-02   |
| Signature of Inventor 7<br><br>Tamila S. Gupte |   |  |
| Date 1/16/02   |   |  |

SFC - GENEZON

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PTO/SB/81 (02-01)

Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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|  |                      |                 |
|--|----------------------|-----------------|
| <b>POWER OF ATTORNEY OR<br/>AUTHORIZATION OF AGENT</b> | Application Number   | 09/990,940      |
|  | Filing Date          | 11/21/01        |
|  | First Named Inventor | Tian            |
|  | Title                | NOVEL RECEPTORS |
|  | Group Art Unit       | 1645            |
|  | Examiner Name        |                 |
| Attorney Docket Number                                 | 018781007410         |                 |

I hereby appoint:

Practitioners at Customer Number

20350

OR

Practitioner(s) named below:

|      |                           |                     |
|------|---------------------------|---------------------|
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|      | FEB 27 2002               |                     |
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as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

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The above-mentioned Customer Number.

OR

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| City   | State | ZIP |  |
| Country  |       |     |  |
| Telephone  | Fax   |     |  |

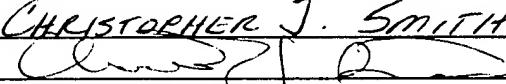
I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

**SIGNATURE of Applicant or Assignee of Record**

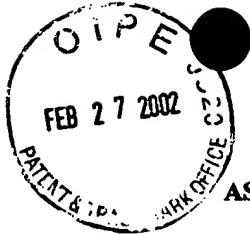
|           |   |
|-----------|---|
| Name      | CHRISTOPHER J. SMITH  |
| Signature |  |
| Date      | JAN. 22 2002  |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

\*Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.  
SF 1302917 v1

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Attorney Docket No.: 018781-007410US  
Client Reference No.: T01-025-1 US

## ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Hui Tian of ~~479 Foster City Blvd. Apt. No. 2, Foster City, CA 94404; Jiagang Zhao of 4860 Caminito Exquisito, San Diego, CA 92130; Jin-Long Chen of 101 Challenge Dr., Foster City, CA 94404; Gene Cutler of 2470 -44th Avenue, San Francisco, CA 94116; Songzhu An of 478 Warren Drive, Apt. 410, San Francisco, CA ; Kang Dai of 535 Pierce Street, Apt. 1117, Albany, CA 94706; Jamila S. Gupte of 2205 BridgePointe Parkway, #103, San Mateo, CA 94404;~~ <sup>685 BEACH PARK BLVD.</sup>, CA 94402, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: NOVEL RECEPTORS

Date(s) of execution of Declaration:

Filing Date: November 21, 2001

Application No.: 09/990,940; and

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WHEREAS, Tularik Inc., a corporation of the state of Delaware, located at Two Corporate Drive, South San Francisco, CA, 94080, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

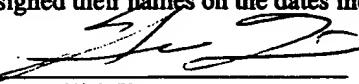
Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8<sup>th</sup> Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

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Attorney Docket No.: 018781-007410US  
Client Ref. No. T01-025-1 US  
Page 2

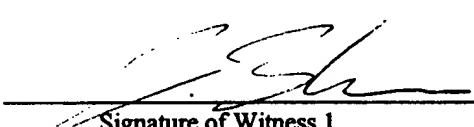
IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: 1/15/02

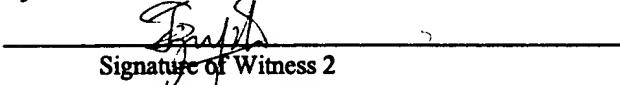
  
Hui Tian

SIGNATURE WITNESSED BY:

(1) Date: 1/15/02

  
Signature of Witness 1

(2) Date: 1/15/02

  
Signature of Witness 2

**Assignment**  
**Attorney Docket No.: 018781-007410US**  
**Client Ref. No. T01-025-1 US**  
**Page 6**

Dated: 1-17-02

Jay C

Songzhu An

**SIGNATURE WITNESSED BY:**

(1) Date: 1/17/02

(2) Date: 1-17-02

**Signature of Witness 1**

**Signature of Witness 2**

**Assignment**  
**Attorney Docket No.: 018781-007410US**  
**Client Ref. No. T01-025-1 US**  
**Page 7**

Dated: 1/17/02

**SIGNATURE WITNESSED BY:**

(1) Date: 1/17/02

(2) Date: 1-17-02

Kang Dai

Kang Dai

*[Handwritten signature of Dr. G.]*

**Signature of Witness 1**

Signature of Witness 2

Signature of Witness 2

**Assignment**  
Attorney Docket No.: 018781-007410US  
Client Ref. No. T01-025-1 US  
Page 8

Dated: 1/15/02

  
Jamila S. Gupte

Jamila S. Gupte

**SIGNATURE WITNESSED BY:**

(1) Date: 1/15/02

(2) Date: 1-15-02

Signature of Witness 1

Signature of Witness 2

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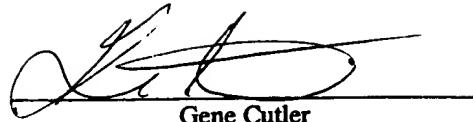
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Attorney Docket No.: 018781-007410US

Client Ref. No. T01-025-1 US

Page 5

Dated: 1/16/02



Gene Cutler

**SIGNATURE WITNESSED BY:**

(1) Date: 1/16/02

  
Signature of Witness 1

(2) Date: 1-16-02

  
Signature of Witness 2

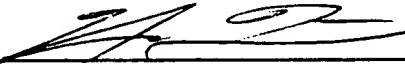
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Client Ref. No. T01-025-1 US  
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Dated: 1-16-02

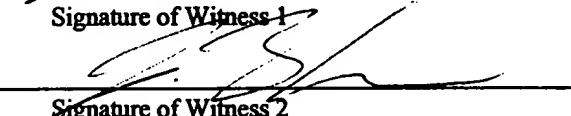
Jin-Long Chen

SIGNATURE WITNESSED BY:

(1) Date: 1/16/02

  
Signature of Witness 1

(2) Date: 1/16/02

  
Signature of Witness 2

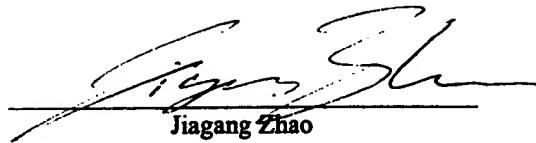
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Client Ref. No. T01-025-1 US  
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Dated: 1/16/02

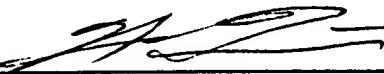
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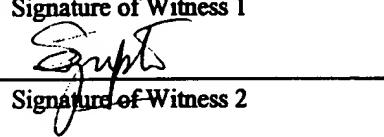
(1) Date: 1/16/02

(2) Date: 1/16/02



Jiagang Zhao

  
Signature of Witness 1

  
Signature of Witness 2